

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Applicant(s):	Charles Donald Montgomery, Jr.
Serial Number:	10/602,145
Filing Date:	06/24/2003
Title:	Method Of Adapting An Optical Network To Provide Lightpaths To Dynamically Assigned Higher Priority Traffic
Examiner:	Rose, Kerri M
Art Unit:	2616

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

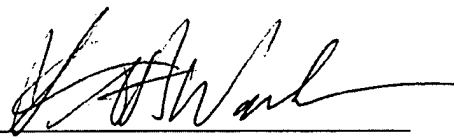
**EXAMINER INTERVIEW SUMMARY**

Sir:

On April 29, 2008 I received a phone call from Examiner regarding the status of this application. In her voicemail message, Examiner stated that a new non-final Office action was issued and should have been mailed to Applicant in January. She went on to state that it was likely lost in the USPTO mailroom. Examiner then stated that she would hand-deliver a copy of the new non-final office action to the mailroom, today, to be mailed to Applicant today and that a status update letter was also in the mail. Examiner also stated that Applicant should not have to worry about any case deadlines. I understand this statement to mean that Applicant should not have to worry about further deadlines associated with the November 1, 2007 final Office action (i.e., the application will not go abandoned under operation of law on May 1, 2008).

Applicant truly appreciates Examiner's assistance in resolving this issue.

Respectfully submitted,

By: 

**Steven H. Washam**

Registration No. 58,266

Attorney for Applicants

Date: April 29, 2008  
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